

H.R. 915, as well as the support of the administration, expressed in a May, 1999 hearing in my Judiciary Subcommittee on Commercial and Administrative Law, are a testament to the strong support for this legislation.

Administrative law judges serve a vital role as an administrative judiciary to insure agency compliance with the Administrative Procedure Act. In fact, the average citizen is far more likely to appeal to these judges for redress of claims against the government than to the Federal courts.

The ALJ position demands commitment and a high degree of professional legal competence as a senior trial attorney. Therefore, it is important that Federal agencies maintain the ability to attract high quality lawyers to serve as ALJs.

In 1990 in recognition of the ALJ's unique role as independent decision makers, Congress and the Office of Personnel Management (OPM) created a judicial pay classification for the ALJs, at 60 percent to 90 percent of level four of the Executive Schedule. The new classification is above the General Schedule 16 classification, and was to compensate ALJs at a level similar to Senior Executive Service (SES) employees.

Unfortunately, according to OPM, ALJ pay has fallen to the level of GS 15 pay and has not maintained the level of SES pay. As a result, OPM, the American Bar Association, and the Federal Bar Association have all expressed concerns that the high quality of ALJ candidates will be diminished if ALJ compensation is not competitive with other senior level Federal employees.

I have sought to correct this erosion in the ALJ pay since the last Congress, when I introduced H.R. 1240 last session to provide ALJs a cost of living adjustment (COLA) when the General Schedule received a COLA. H.R. 1240 passed the full House Judiciary Committee last year by voice vote without any objection, and was included in the draft Civil Service Subcommittee reform package.

OPM proposed some changes to that approach, and I have embodied those changes in the text for H.R. 915 this year, which would treat ALJs the same as SES for COLA purposes. It does not grant an automatic COLA, but instead gives the President the discretion and authority to grant a COLA and the rate.

Additionally, I would like to point out that H.R. 915 would for the first time allow ALJs to have access to the COLA funds already contained in the budgets of the agencies where they sit, requiring no new appropriation of funds. Currently, these already appropriated ALJ COLA funds go to pay additional bonuses for SES personnel.

Enactment of H.R. 915 is a modest step to maintain a competent and independent Federal ALJ corps, and I urge its passage by the House.

Mr. GILMAN. Mr. Speaker, I rise in support of H.R. 915, legislation to authorize a cost of living adjustment in the pay of administrative law judges. Furthermore, I want to thank the sponsor of this H.R. 915, my friend and colleague the gentleman from Pennsylvania, GEORGE GEKAS and Civil Service Subcommittee chair, JOE SCARBOROUGH for all of their hard work on this important legislation. H.R. 915 will adjust the basic pay for the more than 1,300 administrative law judges employed by the Federal Government and will authorize to the President the same authority

to provide annual pay adjustments to ALJs who now serve in the Senior Executive Service.

The pay for ALJs has not kept pace over the years with those in other Federal employee positions, making it extremely difficult to attract and retain qualified and experienced attorneys to serve as ALJs.

Throughout my tenure in Congress I have had the opportunity to work with many of our ALJs and have always found their abilities and commitment to public service second to none. The bill before us today will not only reward our ALJs for their tireless dedicated years of public service, but will insure that the Federal Government will continue to maintain an exceptional ALJ roster.

Accordingly, I urge all of my colleagues to support this legislation.

Mrs. BIGGERT. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 915, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 3 o'clock and 39 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1802

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BARRETT of Nebraska) at 6 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on approving the Journal and on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

Approval of the Journal, de novo; H.R. 754, by the yeas and nays; H.R. 2303, by the yeas and nays; and House Concurrent Resolution 194, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending

business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. REYNOLDS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 341, nays 49, answered "present" 1, not voting 42, as follows:

[Roll No. 533]  
YEAS—341

Abercrombie	Davis (VA)	Holden
Allen	Deal	Holt
Andrews	DeGette	Horn
Archer	Delahunt	Hostettler
Armey	DeLauro	Houghton
Bachus	DeLay	Hoyer
Baker	DeMint	Hulshof
Baldwin	Deutsch	Hunter
Barcia	Diaz-Balart	Hutchinson
Barr	Dicks	Hyde
Barrett (NE)	Dingell	Insee
Barrett (WI)	Dixon	Isakson
Bartlett	Doggett	Istook
Barton	Doolittle	Jackson (IL)
Bass	Doyle	Jackson-Lee
Bateman	Dreier	(TX)
Bentsen	Duncan	Jenkins
Bereuter	Dunn	John
Berkley	Edwards	Johnson (CT)
Berman	Ehlers	Johnson, Sam
Berry	Ehrlich	Jones (NC)
Biggert	Engel	Jones (OH)
Bilirakis	Eshoo	Kanjorski
Bishop	Etheridge	Kaptur
Blagojevich	Everett	Kelly
Bliley	Ewing	Kennedy
Blumenauer	Farr	Kildee
Blunt	Fattah	Kind (WI)
Boehlert	Fletcher	King (NY)
Bonior	Foley	Kingston
Boswell	Forbes	Kleczka
Boucher	Ford	Knollenberg
Boyd	Fossella	Kolbe
Brady (TX)	Fowler	Kuykendall
Brown (FL)	Frank (MA)	LaFalce
Brown (OH)	Franks (NJ)	LaHood
Bryant	Frelinghuysen	Lampson
Burr	Frost	Larson
Burton	Galleghy	Latham
Buyer	Ganske	LaTourette
Callahan	Gejdenson	Lazio
Calvert	Gekas	Leach
Camp	Gephardt	Lee
Campbell	Gilchrest	Levin
Canady	Gillmor	Lewis (CA)
Cannon	Gilman	Lewis (KY)
Capps	Gonzalez	Linder
Cardin	Goode	Lofgren
Castle	Goodlatte	Lucas (KY)
Chabot	Goodling	Lucas (OK)
Chambliss	Gordon	Luther
Chenoweth-Hage	Goss	Maloney (CT)
Clayton	Graham	Maloney (NY)
Clement	Green (TX)	Manzullo
Coble	Green (WI)	Markey
Coburn	Greenwood	Martinez
Collins	Gutierrez	Matsui
Combest	Hall (OH)	McCarthy (MO)
Condit	Hall (TX)	McCrary
Conyers	Hansen	McGovern
Cooksey	Hastings (WA)	McHugh
Cox	Hayes	McInnis
Coyne	Hayworth	McIntyre
Cubin	Herger	McKeon
Cummings	Hill (IN)	McKinney
Cunningham	Hinchee	Meehan
Danner	Hobson	Meek (FL)
Davis (FL)	Hoefel	Meeks (NY)
Davis (IL)	Hoekstra	Menendez

Metcalf	Riley	Stenholm
Mica	Rivers	Stump
Millender-	Rodriguez	Sununu
McDonald	Roemer	Sweeney
Miller (FL)	Rogan	Tanner
Miller, Gary	Rohrabacher	Tauscher
Minge	Ros-Lehtinen	Tauzin
Mink	Rothman	Terry
Mollohan	Roukema	Thomas
Moran (KS)	Roybal-Allard	Thornberry
Moran (VA)	Royce	Thune
Morella	Ryan (WI)	Thurman
Murtha	Ryun (KS)	Tiahrt
Napolitano	Salmon	Tierney
Napolitano	Sanchez	Toomey
Nethercutt	Sanders	Trafficant
Ney	Sandlin	Turner
Northup	Sanford	Udall (CO)
Norwood	Sawyer	Upton
Obey	Saxton	Velazquez
Olver	Schakowsky	Vento
Ortiz	Scott	Vitter
Ose	Sensenbrenner	Walden
Owens	Serrano	Walsh
Oxley	Sessions	Wamp
Packard	Shadegg	Watkins
Pascarell	Shays	Watt (NC)
Paul	Sherman	Watts (OK)
Payne	Sherwood	Waxman
Pease	Shimkus	Weiner
Peterson (PA)	Shows	Weldon (FL)
Petri	Shuster	Weldon (PA)
Phelps	Simpson	Wexler
Pitts	Sisisky	Weygand
Pombo	Skeen	Whitfield
Pomeroy	Skelton	Wicker
Porter	Smith (MI)	Wilson
Portman	Smith (NJ)	Wise
Price (NC)	Smith (TX)	Wolf
Quinn	Smith (WA)	Woolsey
Radanovich	Souder	Wynn
Rahall	Spence	Young (AK)
Rangel	Spratt	Young (FL)
Regula	Stabenow	
Reyes	Stark	
Reynolds	Stearns	

NAYS—49

Aderholt	Hefley	Pickett
Baird	Hill (MT)	Ramstad
Billbray	Hilleary	Sabo
Borski	Hilliard	Schaffer
Clay	Hooley	Slaughtner
Clyburn	Johnson, E. B.	Snyder
Costello	Klink	Strickland
Crane	Kucinich	Taylor (MS)
Crowley	LoBiondo	Thompson (CA)
DeFazio	McDermott	Thompson (MS)
Dickey	McNulty	Udall (NM)
English	Miller, George	Visclosky
Evans	Moore	Waters
Filner	Oberstar	Weller
Gibbons	Pallone	Wu
Gutknecht	Pastor	
Hastings (FL)	Peterson (MN)	

“PRESENT”—1

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NOT VOTING—42

Ackerman	Granger	Moakley
Baldacci	Hinojosa	Myrick
Ballenger	Neal	Jefferson
Becerra	Kasich	Nussle
Boehner	Kilpatrick	Pelosi
Bonilla	Lantos	Pickering
Bono	Largent	Pryce (OH)
Brady (PA)	Lewis (GA)	Rogers
Capuano	Lipinski	Rush
Carson	Lowe	Scarborough
Cook	Mascara	Shaw
Cramer	McCarthy (NY)	Stupak
Dooley	McCollum	Taylor (NC)
Emerson	McIntosh	Towns

□ 1830

So the Journal was approved.  
The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Pursuant to the provisions of clause 8 of rule XX,

the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the additional motions to suspend the rules on which the Chair has postponed earlier proceedings.

MADE IN AMERICAN INFORMATION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 754, as amended.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. BLYLEY) that the House suspend the rules and pass the bill, H.R. 754, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote. The vote was taken by electronic device, and there were—yeas 390, nays 2, not voting 41, as follows:

[Roll No. 534]

YEAS—390

Abercrombie	Clyburn	Frelinghuysen
Aderholt	Coble	Frost
Allen	Coburn	Galleghy
Andrews	Collins	Ganske
Archer	Combest	Gejdenson
Army	Condit	Gekas
Bachus	Conyers	Gephardt
Baird	Cooksey	Gibbons
Baker	Costello	Gilchrist
Baldacci	Cox	Gillmor
Baldwin	Coyne	Gilman
Barcia	Crane	Gonzalez
Barr	Crowley	Goode
Barrett (NE)	Cubin	Goodlatte
Barrett (WI)	Cummings	Goodling
Bartlett	Cunningham	Gordon
Barton	Danner	Goss
Bass	Davis (FL)	Graham
Bateman	Davis (IL)	Green (TX)
Bentsen	Davis (VA)	Green (WI)
Bereuter	Deal	Greenwood
Berkley	DeFazio	Gutierrez
Berman	DeGette	Gutknecht
Berry	Delahunt	Hall (OH)
Biggart	DeLauro	Hall (TX)
Billbray	DeLay	Hansen
Bilirakis	DeMint	Hastings (FL)
Bishop	Deutsch	Hastings (WA)
Blagojevich	Diaz-Balart	Hayworth
Bliley	Dickey	Hefley
Blumenauer	Dicks	Herger
Blunt	Dingell	Hill (IN)
Boehlert	Dixon	Hill (MT)
Boehner	Doggett	Hilleary
Bonior	Doolittle	Hilliard
Borski	Doyle	Hinchey
Boswell	Dreier	Hobson
Boucher	Duncan	Hoefel
Boyd	Dunn	Hoekstra
Brady (TX)	Edwards	Holden
Brown (FL)	Ehlers	Holt
Brown (OH)	Ehrlich	Hooley
Bryant	Emerson	Horn
Burr	Engel	Hostettler
Burton	English	Houghton
Buyer	Eshoo	Hoyer
Callahan	Etheridge	Hulshof
Calvert	Evans	Hunter
Camp	Everett	Hutchinson
Campbell	Ewing	Hyde
Canady	Farr	Inslee
Cannon	Fattah	Isakson
Capps	Filner	Istook
Cardin	Fletcher	Jackson (IL)
Castle	Foley	Jackson-Lee
Chabot	Forbes	(TX)
Chambliss	Ford	Jenkins
Chenoweth-Hage	Fossella	John
Clay	Fowler	Johnson (CT)
Clayton	Frank (MA)	Johnson, E. B.
Clement	Franks (NJ)	Jones (NC)

Jones (OH)	Napolitano	Simpson
Kanjorski	Nethercutt	Sisisky
Kaptur	Ney	Skeen
Kasich	Northup	Skelton
Kelly	Norwood	Slaughtner
Kennedy	Oberstar	Smith (MI)
Kildee	Obey	Smith (NJ)
Kind (WI)	Olver	Smith (TX)
King (NY)	Ortiz	Smith (WA)
Kingston	Ose	Snyder
Klecza	Owens	Souder
Klink	Oxley	Spence
Knollenberg	Packard	Spratt
Kolbe	Pallone	Stabenow
Kucinich	Pascarell	Stark
Kuykendall	Pastor	Stearns
LaFalce	Payne	Stenholm
LaHood	Pease	Strickland
Lampson	Peterson (MN)	Stump
Larson	Peterson (PA)	Sununu
Latham	Petri	Sweeney
LaTourette	Phelps	Talent
Lazio	Pickett	Tancred
Leach	Pitts	Tanner
Lee	Pombo	Tauscher
Levin	Pomeroy	Tauzin
Lewis (CA)	Porter	Taylor (MS)
Lewis (KY)	Portman	Terry
Linder	Price (NC)	Thomas
LoBiondo	Quinn	Thompson (CA)
Lofgren	Radanovich	Thompson (MS)
Lucas (KY)	Rahall	Thornberry
Lucas (OK)	Ramstad	Thune
Luther	Rangel	Thurman
Maloney (CT)	Regula	Tiahrt
Maloney (NY)	Reyes	Tierney
Manzullo	Reynolds	Toomey
Markey	Riley	Trafficant
Martinez	Rivers	Turner
Matsui	Rodriguez	Udall (CO)
McCarthy (MO)	Roemer	Udall (NM)
McCrery	Rogan	Upton
McDermott	Rohrabacher	Velazquez
McGovern	Ros-Lehtinen	Vento
McHugh	Rothman	Vitter
McInnis	Roybal-Allard	Walden
McIntyre	Royce	Walsh
McKeon	Ryan (WI)	Wamp
McKinney	Ryun (KS)	Waters
McNulty	Sabo	Watkins
Meehan	Salmon	Watt (NC)
Meek (FL)	Sanchez	Watts (OK)
Meeks (NY)	Sanders	Waxman
Menendez	Sandlin	Weiner
Metcalf	Sawyer	Weldon (FL)
Mica	Saxton	Weldon (PA)
Millender-	Schaffer	Weller
McDonald	Schakowsky	Wexler
Miller (FL)	Scott	Weygand
Miller, Gary	Sensenbrenner	Whitfield
Miller, George	Serrano	Wicker
Minge	Sessions	Wilson
Mink	Shadegg	Wise
Mollohan	Shaw	Wolf
Moore	Shays	Woolsey
Moran (KS)	Sherman	Wu
Moran (VA)	Sherwood	Wynn
Morella	Shimkus	Young (AK)
Murtha	Shows	Young (FL)
Nadler	Shuster	

NAYS—2

Paul

NOT VOTING—41

Ackerman	Jefferson	Neal
Ballenger	Johnson, Sam	Nussle
Becerra	Kilpatrick	Pelosi
Bonilla	Lantos	Pickering
Bono	Largent	Pryce (OH)
Brady (PA)	Lewis (GA)	Rogers
Capuano	Lipinski	Roukema
Carson	Lowe	Rush
Cook	Mascara	Scarborough
Cramer	McCarthy (NY)	Stupak
Dooley	McCollum	Taylor (NC)
Granger	McIntosh	Towns
Hayes	Moakley	Visclosky
Hinojosa	Myrick	

□ 1839

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.